

**BUSH GOTTLIEB**  
**A Law Corporation**

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11848-28001

June 27, 2018

\* Also admitted in New York  
+Also admitted in Nevada  
#Also admitted in Washington DC

Of Counsel:  
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Direct Dial: (818) 973-3228  
jgutmandickinson@bushgottlieb.com

Gary Shinnars, Executive Secretary  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570-0001

Re: Motion for Reconsideration Regarding Case No. 21-RC-219057

Dear Mr. Shinnars:

I am writing to urge the Board reconsider its decision of June 26, 2018 granting the Savage Services Corporation's Request for an Extension of Time to File Request for Review (attached as Exhibit A for your reference).

The Union was not served with the request. The communication received from the Employer is attached as Exhibit B. In it, the Ms. Bronchetti notifies the Union that "we will be requesting an extension of time to file a request for review from July 5, 2018 to July 19, 2018." The letter does not indicate that it was also sent to the Board or the Region in a "cc" or otherwise. The Union understood Ms. Bronchetti's letter to be requesting the Union's position regarding the yet-to-be-filed request for an extension of time. Based on that understanding, I replied by letter to her the next business day. In my letter, attached as Exhibit C, I notified Ms. Bronchetti that the Union would oppose the Employer's request.

Ms. Bronchetti's letter is not service of the Employer's request for an extension of time on the Union. The Employer must serve the papers it actually files with the Board—not some other letter referencing the papers that it will be filing. That much should be obvious to an experienced practitioner such as Ms. Bronchetti. The Union could not know based on the letter from Ms. Bronchetti when the Board would be considering the Employer's request, the reasoning presented to the Board, or whether the Union's position was represented in the request. To date, the Union does not know what the Employer has actually filed with the Board. We have recently requested the document from the Region and your office, and look forward to receiving a copy.

Because the filing was not served, it should be rejected. Under 29 C.F.R. 201.5(i)(1) & (2), when a document is not properly served, it should either be rejected or the Board should withhold or reconsider the ruling "until after service has been made and the served party has had reasonable

opportunity to respond.” Given the repeated, bad faith nature of the failure to properly serve the Union in this matter, the filing should be rejected.

Unfortunately, this is the ***second time*** in the processing of this case that the Employer has sought an extension in this matter without properly serving the Union, resulting in the Union receiving notice that this matter had been delayed without even knowing such a request was under consideration. Attached as Exhibit D is the Union’s objection to the Region’s grant of an extension of time for the pre-election hearing, as well as an attachment reflecting Union counsel’s communications with the Employer. The Employer e-filed the request with the Region, but served the Union by mail, resulting in the Union receiving the request after the Regional Director had granted the extension (without the Union having the opportunity to state its position to the Region). At that time, the Union brought to the Employer’s attention the rules regarding e-filing requiring “***the document being E-Filed*** is required to be served on another party to a proceeding, the other party must be served by email, if possible.” 29 C.F.R. § 102.5(c) (emphasis added). The email quoting this section to the Region on which Ms. Bronchetti was copied is attached as Exhibit E. The Employer ultimately revised its proof of service (attached as Exhibit F) and the Region revised its scheduling order (attached as Exhibit G).

In addition to these two requests for delay, the Employer also requested that the Region not proceed day-to-day during the pre-election hearing, requested an extension of time to file its offer of proof in support of its objections, and, when the Region proposed setting a date for a challenged-ballot hearing, the Employer again requested a delay based on Ms. Bronchetti’s leave, demonstrating that the Employer has long-anticipated its need to make alternative arrangements for counsel. The Employer’s request to delay the proposed challenge ballot hearing is attached as Exhibit H. In that request, the Employer also failed to provide the Union’s position to the Region, as the Union noted in its response, which is attached as Exhibit I.

Obviously, this repeated bad faith conduct supports that the real reason that the Employer is seeking a delay in this matter: to deprive its employees of the benefits of collective bargaining. Currently, the Employer has a paper victory as the unopened ballots are votes from on-call drivers—some of the strongest, most visible union supporters at the facility. The Employer has been aware of this issue since the pre-election hearing and has already presented its position to the Region on this discrete matter impacting seven employees. A two-week delay is unreasonable on that basis alone.

As the underlying merits of this dispute demonstrate, the Employer baselessly challenged these ballots to get this result and delay the resolution of this question concerning representation. Predictably, it is chilling support for the union at the facility. There are also a myriad of unremedied unfair labor practices, including threats of plant closure and termination of union supporters, that continue to intimidate workers. The Union filed charges regarding this conduct with the initial charge filed on March 8, 2018. Assuring employees they have the benefits of

Gary Shinnars, Executive Secretary  
June 27, 2018  
Page 3

union representation is essential so that the Employer is not permitted to benefit from its unlawful conduct.

It has been over four weeks since the tally issued in this matter, yet none of the challenged ballots have been set for hearing or opened pursuant to the administrative determination issued last week. This extraordinary delay serves the Employer's purposes of undermining support for the Union in this facility and permitting the Employer the requested extension enhances it further. The Union vigorously opposes the request and urges the Board to expeditiously processes any request from review received by the Employer.

Please contact me if you have any questions regarding this matter. I can be reached at (818) 973-3228 or by email at [jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com).

Very truly yours,

Bush Gottlieb  
A Law Corporation



Julie Gutman Dickinson

cc: Ellen Bronchetti, Esq.  
William Cowen, Regional Director of Region 21  
Nathan Seidman, Assistant Regional Director of Region 21

# Exhibit A



United States Government

**OFFICE OF THE EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
1015 HALF STREET SE  
WASHINGTON, DC 20570**

June 26, 2018

Re: Savage Services Corporation  
Case 21-RC-219057

**EXTENSION OF TIME TO FILE REQUEST FOR REVIEW**

The request for an extension of time in the above-referenced case is granted. The due date for the receipt in Washington, D.C. of Requests for Review of the Regional Director's Report and Direction To Reopen And Count Certain Challenged Ballots is extended to **July 19, 2018**. This extension of time to file requests for review applies to all parties.

/s/ Diane L. Bridge  
Counsel

cc: Parties  
Region

# Exhibit B

June 22, 2018

VIA FEDEX and VIA E-MAIL jgutmandickinson@bushgottlieb.com;  
mdegeneffe@bushgottlieb.com

Julie Gutman Dickson  
jgutmandickinson@bushgottlieb.com  
Megan Degeneffe  
mdegeneffe@bushgottlieb.com  
Bush Gottlieb  
801 North Brand Boulevard  
Suite 950, Glendale, CA 91203-1260

Wholesale Delivery Drivers, General Truck Drivers, Sales, Industrial and Allied Workers,  
Teamsters Local 848, International Brotherhood of Teamsters  
3888 Cherry Ave  
Long Beach, CA 90807

Re: Savage Services Corporation  
Case No. 21-RC-219057

Counsel:

The Regional Director has set a deadline for July 5, 2018 for the filing of a request for review of his June 21, 2018 decision regarding the disputed ballots of the on-call drivers. As you are aware, I am the lead attorney who is familiar with and responsible for this matter and am currently on maternity leave. Thus, we will be requesting an extension of the time to file a request for review from July 5, 2018 to July 19, 2018, in order to have the necessary time to prepare the request and to retain new counsel.

This letter is service of the request pursuant to the Board's Rules & Regulations Sec. 102.114.

Very truly yours,



Ellen Bronchetti

# Exhibit C



**BUSH GOTTLIEB**  
**A Law Corporation**

Joshua Adams  
David E. Ahdoot  
Robert A. Bush  
Hector De Haro  
Megan Degeneffe  
Lisa C. Demidovich#  
Erica Deutsch  
Peter S. Dickinson+  
Ira L. Gottlieb\*

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Dana S. Martinez  
Kirk M. Prestegard  
Dexter Rappleye  
Hope J. Singer  
Katherine M. Traverso

11848-28001

June 25, 2018

\* Also admitted in New York  
+Also admitted in Nevada  
#Also admitted in Washington DC

Of Counsel:  
David Adelstein

Direct Dial: (818) 973-3228  
jgutmandickinson@bushgottlieb.com

**Via E-mail**

Ellen Bronchetti, Esq.  
McDermott, Will & Emery  
Three Embarcadero Center  
San Francisco, CA 94111-4003  
United States of America

Re: Request for Extension of Deadline Regarding Request for Review

Dear Ms. Bronchetti:

I am writing in response to your letter of June 22, 2018 regarding the Employer's request for an extension for filing its request for review. Unfortunately, we must oppose the Employer's request. As you know, the Union strongly believes this matter should be resolved as expeditiously as possible so that the employees may begin enjoying the benefits of collective action. The Employer's need to substitute counsel was foreseeable under these circumstances. Additionally, the Employer has previously provided its position regarding this issue to the Region and therefore two weeks should be sufficient time to provide its position on a request for review.

For these reasons the Union will respectfully oppose the Employer's requested extension.

Very truly yours,

Bush Gottlieb  
A Law Corporation



Julie Gutman Dickinson

cc: Pablo Camacho, Organizer

# Exhibit D

## **Megan Degeneffe**

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**From:** Ira L. Gottlieb  
**Sent:** Monday, April 30, 2018 10:27 PM  
**To:** Cowen, William B.  
**Cc:** Megan Degeneffe; Julie Gutman Dickinson; Ebronchetti@mwe.com; Giever, Danielle; Seidman, Nathan M  
**Subject:** RE: Request for postponement granted unilaterally 21-RC-219057  
**Attachments:** RE: Draft agreement 21-RC-219057 Savage Services Corporation

Dear Mr. Cowen:

The quote you have transmitted from a document we have not seen relates to the Employer's pre-motion attempts to reach a stipulation on postponement. It is true that the Union was not willing to stipulate to moving the hearing to May 7, as the quote notes. It gives a misleading impression, however, that Ms. Bronchetti and Ms. Dickinson had a conversation, which they did not. More significantly, the quote suggests that the Union lacked any justification for its position, whereas the Union did provide support for its position to opposing counsel. Moreover, if that quote is as close as the Employer comes to informing the Region that it has served the Union with its postponement request as it is required to do, it has failed to satisfy that requirement. Indeed, the attached email from Employer's counsel to Union counsel, complaining of the content and timing of the Union's subpoena duces tecum and the Union's refusal to move the hearing, could be interpreted to suggest it intended to go forward on the originally scheduled day.

The Employer's responsibility is not only to get the Union's position in advance of making a request or motion, but also to simultaneously serve the Union a copy of the request when it files with the Region, so the Union may respond directly and fully to the Region. In accordance with NLRB Rules and Regulations Section 102.114(c), a party's failure to make timely service on other parties is a basis for either "rejection of the document," or for "[w]ithholding or reconsidering any ruling on the subject matter raised by the document until after service has been made and the served party has had reasonable opportunity to respond." The Union anticipated the Employer may attempt to move the hearing date, but because it didn't serve a request, the Union was prejudiced because it did not have the opportunity to state its position and supporting reasons to the Region before the Region granted the request. The Union has yet to see the Employer's full request to postpone the hearing. Please consider this a request to receive the Employer's motion. If the Employer has evidence that the request was, in fact, served (such as an email), please provide that as well.

Thank you.

**Ira L. Gottlieb**

**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260  
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**From:** Cowen, William B. [mailto:William.Cowen@nlrb.gov]  
**Sent:** Monday, April 30, 2018 4:49 PM  
**To:** Ira L. Gottlieb <buddyg@bushgottlieb.com>  
**Cc:** Megan Degeneffe <mdegeneffe@bushgottlieb.com>; Julie Gutman Dickinson <jgutmandickinson@bushgottlieb.com>; Ebronchetti@mwe.com; Giever, Danielle <Danielle.Giever@nlrb.gov>; Seidman, Nathan M <Nathan.Seidman@nlrb.gov>  
**Subject:** RE: Request for postponement granted unilaterally 21-RC-219057

Mr. Gottlieb:

In its request for postponement, counsel for the Employer stated as follows:

I contacted the Union's representative Julie Gutman Dickinson this morning to inquire as to her position with respect to moving the hearing to May 7, 2018. I explained my work conflicts however she did not stipulate to moving the hearing to May 7, 2018.

Please let me know whether you dispute the accuracy of this statement.

Thank you,

William B. Cowen  
Regional Director  
Region 21 | National Labor Relations Board  
888 South Figueroa, 9th Floor  
Los Angeles, CA 90017  
213.634.6417 office  
202.520.4933 cell  
213.894.2778 fax

---

**From:** Ira L. Gottlieb [mailto:[buddyg@bushgottlieb.com](mailto:buddyg@bushgottlieb.com)]  
**Sent:** Monday, April 30, 2018 4:07 PM  
**To:** Cowen, William B. <[William.Cowen@nlrb.gov](mailto:William.Cowen@nlrb.gov)>  
**Cc:** Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>; Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Ebronchetti@mwe.com; Giever, Danielle <[Danielle.Giever@nlrb.gov](mailto:Danielle.Giever@nlrb.gov)>  
**Subject:** Request for postponement granted unilaterally 21-RC-219057

Dear Director Cowen:

As you are aware, this office represents the Union in the above-referenced matter.

This is to formally object to the postponement of the hearing in this matter, which, respectfully, the Region ordered today in a procedurally flawed manner. The Employer never served its

request for postponement on the Union, as it is required to do under Casehandling Manual Section 11143 (“The request should be filed with the regional director. E-Filing the request is preferred, but not required. *A copy of the request must be served simultaneously on all the other parties, and that fact must be noted in the request.*” CHM 11143). Indeed, the first the Union was made aware of that request was when Board Agent Danielle Glever called Union counsel Megan Degeneffe and informed her that the RD *had granted the Employer’s postponement request*. Prior to that moment, Employer’s counsel only asked the Union to enter into a stipulation agreeing to postpone the hearing, which is *not* notice the Employer would be making a request to postpone the hearing, absent the Union’s consent.

In that post-postponement grant phone call with Union counsel, Ms. Degeneffe noted her objection to Ms. Glever, quoted the above Casehandling Manual passage, and pointed out that: 1) the Union would have opposed the request in part because of suspected unit-packing hiring activity engaged in by the Employer, and 2) the Employer had neither served the postponement request on counsel, nor (presumably) noted that it had done so in its postponement request as required. That procedural due process defect should have been sufficient to invalidate the Employer’s request. That dispositive flaw is in addition to the concerns the Union noted in declining to stipulate to a postponement, i.e., that the delay would postpone the election, and possibly raise scheduling conflicts with union representatives essential to the presentation of the Union’s case.

Thank you for your consideration and attention.

Very truly yours,

**Ira L. Gottlieb**

**Bush Gottlieb, a Law Corporation**

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## Megan Degeneffe

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**From:** Bronchetti, Ellen <Ebronchetti@mwe.com>  
**Sent:** Friday, April 27, 2018 5:17 PM  
**To:** Megan Degeneffe  
**Cc:** Julie Gutman Dickinson  
**Subject:** RE: Draft agreement 21-RC-219057 Savage Services Corporation

We will be moving to revoke the subpoenas. They are untimely, overbroad and burdensome especially in light of the fact that you have refused to move the hearing.

Please explain why such documents are relevant, why electronic documents are relevant and narrow the time period covered by the requests. Please do so by Monday morning.

Regards,

**Ellen Bronchetti**

**McDermott Will & Emery LLP** | 275 Middlefield Road, Suite 100 | Menlo Park, CA 94025  
Tel +1 650 815 7400 | Fax +1 650 815 7401  
[Website](#) | [Twitter](#) | [LinkedIn](#) | [Blog](#)

---

**From:** Megan Degeneffe [mailto:mdegeneffe@bushgottlieb.com]  
**Sent:** Friday, April 27, 2018 5:04 PM  
**To:** Bronchetti, Ellen  
**Cc:** Julie Gutman Dickinson  
**Subject:** FW: Draft agreement 21-RC-219057 Savage Services Corporation

Dear Ms. Bronchetti,

Attached is a courtesy copy of the union's subpoena, served today. Please give me a call early next week if you'd like to discuss any of the particulars.

Thanks,

**Megan Degeneffe**

**Bush Gottlieb, a Law Corporation**

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**From:** Megan Degeneffe  
**Sent:** Friday, April 27, 2018 2:33 PM  
**To:** 'Bronchetti, Ellen' <[Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com)>

**Cc:** Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Davis, Karen <[kdavis@mwe.com](mailto:kdavis@mwe.com)>

**Subject:** RE: Draft agreement 21-RC-219057 Savage Services Corporation

Hi Ms. Bronchetti,

Delaying the hearing inevitably will delay any election, and the Union believes a prompt election is important to ensuring that it is free and fair, especially under these circumstances. Additionally, our client has scheduling conflicts the two weeks starting April 7<sup>th</sup>, including out-of-state travel.

Thanks,

**Megan Degeneffe**

**Bush Gottlieb, a Law Corporation**

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**From:** Bronchetti, Ellen [<mailto:Ebronchetti@mwe.com>]

**Sent:** Friday, April 27, 2018 2:02 PM

**To:** Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>

**Cc:** Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Davis, Karen <[kdavis@mwe.com](mailto:kdavis@mwe.com)>

**Subject:** Re: Draft agreement 21-RC-219057 Savage Services Corporation

Is there a reason why not so I can notify the Board?

Sent from my iPhone

On Apr 27, 2018, at 1:27 PM, Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)> wrote:

Hi Ms. Bronchetti,

Julie forwarded me a copy of your email. I will be working with her on the Savage Services petition. Unfortunately, the Union cannot stipulate to a postponement of the hearing in this matter. Please let me know if you would like to discuss reaching a stipulation.

Thanks,

**Megan Degeneffe**

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---

**From:** Julie Gutman Dickinson  
**Sent:** Friday, April 27, 2018 11:58 AM  
**To:** Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>  
**Subject:** Fwd: Draft agreement 21-RC-219057 Savage Services Corporation

Sent from my iPhone

**Julie Gutman Dickinson**  
**Bush Gottlieb, a Law Corporation**  
801 North Brand Boulevard, Suite 950, Glendale, CA 91203  
Direct (818) 973-3228 | Cell (213) 200-0260 | Fax (818) 973-3201  
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Begin forwarded message:

**From:** "Bronchetti, Ellen" <[Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com)>  
**Date:** April 27, 2018 at 11:53:38 AM PDT  
**To:** "Giever, Danielle" <[Danielle.Giever@nlrb.gov](mailto:Danielle.Giever@nlrb.gov)>, "[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)" <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>  
**Subject:** RE: Draft agreement 21-RC-219057 Savage Services Corporation

Ms. Guthman Disckson: I am writing to inquire as to whether or not the Union would stipulate to a postponement of the hearing in this matter to Monday, May 7, 2018. The reason for the request is that I am supposed to be in Dallas on May 2, flying back the 3<sup>rd</sup> and have a meeting in Dallas that I cannot cancel. On May 4, 2018, I have scheduled negotiations in Petaluma, California with an in-house union on behalf of Petaluma Valley Hospital and I cannot cancel those negotiations. No one else from my firm is able to assist in the handling of this matter or the other matters for which I already have scheduled.

If you could let me know as soon as possible, I would appreciate it.

Thank you,

**Ellen Bronchetti**

**McDermott Will & Emery LLP** | 275 Middlefield Road, Suite 100 | Menlo Park, CA 94025  
Tel +1 650 815 7400 | Fax +1 650 815 7401



---

**From:** Giever, Danielle [<mailto:Danielle.Giever@nlrb.gov>]  
**Sent:** Friday, April 27, 2018 11:11 AM  
**To:** [jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com); Bronchetti, Ellen  
**Subject:** Draft agreement 21-RC-219057 Savage Services Corporation  
**Importance:** High

Ms. Bronchetti and Ms. Guthman Dickinson,

Please review the attached stipulated election agreement. In addition to what has already been provided, I will need the contact information for the Employer's on-site election representative and the most recent payroll period ending date and if payroll ends weekly or biweekly. Please get back to me at your earliest convenience to discuss.

Thanks,

Danielle Giever  
Field Examiner  
NLRB Region 21  
888 S Figueroa St, 9th Floor  
Los Angeles, CA 90017  
[danielle.giever@nlrb.gov](mailto:danielle.giever@nlrb.gov)  
office: (213) 634-6508  
cell: (202) 674-2461



\*\*\*\*\*  
\*\*\*\*\*

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\*\*\*\*\*  
\*\*\*\*\*

Please visit <http://www.mwe.com/> for more information about our Firm.

# Exhibit E

## Megan Degeneffe

---

**From:** Ira L. Gottlieb  
**Sent:** Tuesday, May 01, 2018 2:26 PM  
**To:** Cowen, William B.  
**Cc:** Ebronchetti@mwe.com; Julie Gutman Dickinson; Megan Degeneffe; Seidman, Nathan M; Giever, Danielle  
**Subject:** RE: Savage Services Corporation 21-RC-219057  
**Attachments:** FW: Draft agreement 21-RC-219057 Savage Services Corporation

Dear Mr. Cowen:

I attach the email from the Union's counsel to Employer's counsel opening the potential dialogue relating to the union representative's schedule. The April 7<sup>th</sup> date noted in that email is in error; it was intended to be May 7.

Because the Union is concerned about yet further delay engendered by an inability to begin the hearing even on May 7 -- impropriety of the Employer's postponement request notwithstanding -- the Union representative has cancelled his travel plans and thus we can be available on that date.

Very truly yours,

**Ira L. Gottlieb**

**Bush Gottlieb, a Law Corporation**

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---

**From:** Cowen, William B. [mailto:William.Cowen@nlrb.gov]  
**Sent:** Tuesday, May 01, 2018 1:34 PM  
**To:** Ira L. Gottlieb <buddyg@bushgottlieb.com>  
**Cc:** Ebronchetti@mwe.com; Julie Gutman Dickinson <jgutmandickinson@bushgottlieb.com>; Megan Degeneffe <mdegeneffe@bushgottlieb.com>; Seidman, Nathan M <Nathan.Seidman@nlrb.gov>; Giever, Danielle <Danielle.Giever@nlrb.gov>  
**Subject:** RE: Savage Services Corporation 21-RC-219057

Mr. Gottlieb:

Below is the email sent to counsel for the Employer regarding the request to postpone the hearing:

Hi Ms. Bronchetti,

Julie forwarded me a copy of your email. I will be working with her on the Savage Services petition. Unfortunately, the Union cannot stipulate to a postponement of the hearing in this matter. Please let me know if you would like to discuss reaching a stipulation.

Thanks,

**Megan Degeneffe**

**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203

Direct (818) 973-3210 | Main (818) 973-3200

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Was there a different communication in which possible scheduling conflicts were raised with Employer's counsel?

To the extent that the Union representative is not available on May 7, what days do you suggest for the hearing?

Thank you,

William B. Cowen  
Regional Director  
Region 21 | National Labor Relations Board  
888 South Figueroa, 9th Floor  
Los Angeles, CA 90017  
213.634.6417 office  
202.520.4933 cell  
213.894.2778 fax

---

**From:** Ira L. Gottlieb [<mailto:buddyg@bushgottlieb.com>]

**Sent:** Tuesday, May 01, 2018 1:01 PM

**To:** Cowen, William B. <[William.Cowen@nlrb.gov](mailto:William.Cowen@nlrb.gov)>

**Cc:** [Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com); Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>; Seidman, Nathan M <[Nathan.Seidman@nlrb.gov](mailto:Nathan.Seidman@nlrb.gov)>; Giever, Danielle <[Danielle.Giever@nlrb.gov](mailto:Danielle.Giever@nlrb.gov)>

**Subject:** RE: Savage Services Corporation 21-RC-219057

Dear Mr. Cowen:

We have (after the Region granted the postponement) expressed our concerns about the delay in the hearing leading to a delay in the election, unit-packing by the Employer, and possible scheduling conflicts with our union representative raised by the new date. All of that is in addition to the procedural impropriety in service and submission of the Employer's postponement request, which placed the Union at an unfair advantage of having the motion prematurely granted, with the decision made before the Region could consider the Union's substantive position. In accordance with the applicable rules, that decision should be withdrawn and reconsidered.

Thank you for your consideration.

Very truly yours,

**Ira L. Gottlieb**

**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260  
Direct (818) 973-3219 | Cell (818) 398-7666 | Fax (818) 973-3201  
[www.bushgottlieb.com](http://www.bushgottlieb.com)

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---

**From:** Cowen, William B. [<mailto:William.Cowen@nlrb.gov>]

**Sent:** Tuesday, May 01, 2018 11:10 AM

**To:** Ira L. Gottlieb <[buddyg@bushgottlieb.com](mailto:buddyg@bushgottlieb.com)>; [kdavis@mwe.com](mailto:kdavis@mwe.com)

**Cc:** [Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com); Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>; Seidman, Nathan M <[Nathan.Seidman@nlrb.gov](mailto:Nathan.Seidman@nlrb.gov)>; Giever, Danielle <[Danielle.Giever@nlrb.gov](mailto:Danielle.Giever@nlrb.gov)>

**Subject:** RE: Savage Services Corporation 21-RC-219057

Mr. Gottlieb:

Given your acknowledgement that you have received a copy of the April 27 letter requesting postponement, do you have any further response to this request?

William B. Cowen  
Regional Director  
Region 21 | National Labor Relations Board  
888 South Figueroa, 9th Floor  
Los Angeles, CA 90017  
213.634.6417 office  
202.520.4933 cell  
213.894.2778 fax

---

**From:** Ira L. Gottlieb [<mailto:buddyg@bushgottlieb.com>]

**Sent:** Tuesday, May 01, 2018 9:42 AM

**To:** [kdavis@mwe.com](mailto:kdavis@mwe.com); Cowen, William B. <[William.Cowen@nlrb.gov](mailto:William.Cowen@nlrb.gov)>

**Cc:** [Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com); Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>; Seidman, Nathan M <[Nathan.Seidman@nlrb.gov](mailto:Nathan.Seidman@nlrb.gov)>; Giever, Danielle <[Danielle.Giever@nlrb.gov](mailto:Danielle.Giever@nlrb.gov)>

**Subject:** Savage Services Corporation 21-RC-219057

Dear Interested Counsel:

Please include me in further communications in this matter.

With respect to Ms. Davis' email of this morning conveying the Employer's April 27 letter requesting postponement, it confirms that nothing in that letter communicated the substance of

the Union's position opposing it. Thus, the Region did not have the Union's position before it granted the postponement request. Significantly, this same email from Ms. Davis does *not* assert that the Employer conveyed its request by email to the Union's counsel, as the e-filing rule requires (nor did it assert that there was any obstacle to providing its letter to counsel by email). To wit:

NLRB Rules/Regs Section 102.5(c)

E-Filing with the Agency. Unless otherwise permitted under this section, all documents filed in cases before the Agency must be filed electronically ("E-Filed") on the Agency's website ([www.nlr.gov](http://www.nlr.gov)) by following the instructions on the website. The Agency's website also contains certain forms that parties or other persons may use to prepare their documents for E-Filing. If the document being E-Filed is required to be served on another party to a proceeding, the other party must be served by email, if possible, or in accordance with paragraph (g) of this section. Unfair labor practice charges, petitions in representation proceedings, and showings of interest may be filed in paper format or E-Filed. A party who files other documents in paper format must accompany the filing with a statement explaining why the party does not have access to the means for filing electronically or why filing electronically would impose an undue burden. Notwithstanding any other provision in these Rules, if a document is filed electronically the filer need not also file a hard copy of the document, and only one copy of a document filed in hard copy should be filed. Documents may not be filed with the Agency via email without the prior approval of the receiving office.

(g) Proof of service. When service is made by registered or certified mail, the return post office receipt will be proof of service. When service is made by a private delivery service, the receipt from that service showing delivery will be proof of service. However, these methods of proof of service are not exclusive; any sufficient proof may be relied upon to establish service.

(i) Failure to properly serve:

Failure to properly serve. Failure to comply with the requirements of this section relating to timeliness of service on other parties will be a basis for either: (1) Rejecting the document; or (2) Withholding or reconsidering any ruling on the subject matter raised by the document until after service has been made and the served party has had reasonable opportunity to respond.

Nor does the letter indicate a "cc" to Union counsel, or carry a proof of service. It thus appears the Employer did not properly serve the Union with its postponement request that it submitted to the Region.

Thank you for your consideration.

Very truly yours,

**Ira L. Gottlieb**

**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260

Direct (818) 973-3219 | Cell (818) 398-7666 | Fax (818) 973-3201

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## Megan Degeneffe

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**Subject:** FW: Draft agreement 21-RC-219057 Savage Services Corporation

**From:** Megan Degeneffe

**Sent:** Friday, April 27, 2018 2:33 PM

**To:** 'Bronchetti, Ellen' <[Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com)>

**Cc:** Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Davis, Karen <[kdavis@mwe.com](mailto:kdavis@mwe.com)>

**Subject:** RE: Draft agreement 21-RC-219057 Savage Services Corporation

Hi Ms. Bronchetti,

Delaying the hearing inevitably will delay any election, and the Union believes a prompt election is important to ensuring that it is free and fair, especially under these circumstances. Additionally, our client has scheduling conflicts the two weeks starting April 7<sup>th</sup>, including out-of-state travel.

Thanks,

**Megan Degeneffe**

**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203

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**From:** Bronchetti, Ellen [<mailto:Ebronchetti@mwe.com>]

**Sent:** Friday, April 27, 2018 2:02 PM

**To:** Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>

**Cc:** Julie Gutman Dickinson <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>; Davis, Karen <[kdavis@mwe.com](mailto:kdavis@mwe.com)>

**Subject:** Re: Draft agreement 21-RC-219057 Savage Services Corporation

Is there a reason why not so I can notify the Board?

Sent from my iPhone

On Apr 27, 2018, at 1:27 PM, Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)> wrote:

Hi Ms. Bronchetti,

Julie forwarded me a copy of your email. I will be working with her on the Savage Services petition. Unfortunately, the Union cannot stipulate to a postponement of the hearing in this matter. Please let me know if you would like to discuss reaching a stipulation.

Thanks,

**Megan Degeneffe**



**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203

Direct (818) 973-3210 | Main (818) 973-3200

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**From:** Julie Gutman Dickinson

**Sent:** Friday, April 27, 2018 11:58 AM

**To:** Megan Degeneffe <[mdegeneffe@bushgottlieb.com](mailto:mdegeneffe@bushgottlieb.com)>

**Subject:** Fwd: Draft agreement 21-RC-219057 Savage Services Corporation

Sent from my iPhone

**Julie Gutman Dickinson****Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203

Direct (818) 973-3228 | Cell (213) 200-0260 | Fax (818) 973-3201

[www.bushgottlieb.com](http://www.bushgottlieb.com)

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Begin forwarded message:

**From:** "Bronchetti, Ellen" <[Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com)>

**Date:** April 27, 2018 at 11:53:38 AM PDT

**To:** "Giever, Danielle" <[Danielle.Giever@nlrb.gov](mailto:Danielle.Giever@nlrb.gov)>,

"[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)" <[jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com)>

**Subject:** RE: Draft agreement 21-RC-219057 Savage Services Corporation

Ms. Guthman Disckson: I am writing to inquire as to whether or not the Union would stipulate to a postponement of the hearing in this matter to Monday, May 7, 2018. The reason for the request is that I am supposed to be in Dallas on May 2, flying back the 3<sup>rd</sup> and have a meeting in Dallas that I cannot cancel. On May 4, 2018, I have scheduled negotiations in Petaluma, California with an in-house union on behalf of Petaluma Valley Hospital and I cannot cancel those negotiations. No one else from my firm is able to

assist in the handling of this matter or the other matters for which I already have scheduled.

If you could let me know as soon as possible, I would appreciate it.

Thank you,

**Ellen Bronchetti**

**McDermott Will & Emery LLP** | 275 Middlefield Road, Suite 100 | Menlo Park, CA 94025

Tel +1 650 815 7400 | Fax +1 650 815 7401

[Website](#) | [Twitter](#) | [LinkedIn](#) | [Blog](#)

---

**From:** Giever, Danielle [<mailto:Danielle.Giever@nrlb.gov>]  
**Sent:** Friday, April 27, 2018 11:11 AM  
**To:** [jgutmandickinson@bushgottlieb.com](mailto:jgutmandickinson@bushgottlieb.com); Bronchetti, Ellen  
**Subject:** Draft agreement 21-RC-219057 Savage Services Corporation  
**Importance:** High

Ms. Bronchetti and Ms. Guthman Dickinson,

Please review the attached stipulated election agreement. In addition to what has already been provided, I will need the contact information for the Employer's on-site election representative and the most recent payroll period ending date and if payroll ends weekly or biweekly. Please get back to me at your earliest convenience to discuss.

Thanks,

Danielle Giever  
Field Examiner  
NLRB Region 21  
888 S Figueroa St, 9th Floor  
Los Angeles, CA 90017  
[danielle.giever@nrlb.gov](mailto:danielle.giever@nrlb.gov)  
office: (213) 634-6508  
cell: (202) 674-2461



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\*\*\*\*\*  
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\*\*\*\*\*  
\*\*\*\*\*

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# Exhibit F

## Megan Degeneffe

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**From:** Davis, Karen <kdavis@mwe.com>  
**Sent:** Tuesday, May 01, 2018 10:44 AM  
**To:** Ira L. Gottlieb; Cowen, William B.  
**Cc:** Bronchetti, Ellen; Julie Gutman Dickinson; Megan Degeneffe; Seidman, Nathan M; Giever, Danielle  
**Subject:** RE: Savage Services Corporation 21-RC-219057  
**Attachments:** Region 21 dtd 4-27-18 re Contiuance Case 21-RC-21057 -corrected.pdf

Good Morning:

I have corrected, executed and attached the Corrected Certificate of Service to the letter electronically filed and served on 4/27/18.

Thank you,

**Karen Davis**  
Legal Secretary

**McDermott Will & Emery LLP** | 275 Middlefield Road, Suite 100 | Menlo Park, CA 94025  
Tel +1 650 815 7604 | Fax +1 650 815 7401

[Website](#) | [vCard](#) | [Email](#) | [Twitter](#) | [LinkedIn](#) | [Blog](#)

---

**From:** Ira L. Gottlieb [mailto:buddyg@bushgottlieb.com]  
**Sent:** Tuesday, May 01, 2018 9:42 AM  
**To:** Davis, Karen; Cowen, William B.  
**Cc:** Bronchetti, Ellen; Julie Gutman Dickinson; Megan Degeneffe; Seidman, Nathan M; Giever, Danielle  
**Subject:** Savage Services Corporation 21-RC-219057

Dear Interested Counsel:

Please include me in further communications in this matter.

With respect to Ms. Davis' email of this morning conveying the Employer's April 27 letter requesting postponement, it confirms that nothing in that letter communicated the substance of the Union's position opposing it. Thus, the Region did not have the Union's position before it granted the postponement request. Significantly, this same email from Ms. Davis does *not* assert that the Employer conveyed its request by email to the Union's counsel, as the e-filing rule requires (nor did it assert that there was any obstacle to providing its letter to counsel by email). To wit:

NLRB Rules/Regs Section 102.5(c)

E-Filing with the Agency. Unless otherwise permitted under this section, all documents filed in cases before the Agency must be filed electronically ("E-Filed") on the Agency's website ([www.nlr.gov](http://www.nlr.gov)) by following the instructions on the website. The Agency's website also contains certain forms that parties or other persons may use to prepare their

documents for E-Filing. If the document being E-Filed is required to be served on another party to a proceeding, the other party must be served by email, if possible, or in accordance with paragraph (g) of this section. Unfair labor practice charges, petitions in representation proceedings, and showings of interest may be filed in paper format or E-Filed. A party who files other documents in paper format must accompany the filing with a statement explaining why the party does not have access to the means for filing electronically or why filing electronically would impose an undue burden. Notwithstanding any other provision in these Rules, if a document is filed electronically the filer need not also file a hard copy of the document, and only one copy of a document filed in hard copy should be filed. Documents may not be filed with the Agency via email without the prior approval of the receiving office.

(g) Proof of service. When service is made by registered or certified mail, the return post office receipt will be proof of service. When service is made by a private delivery service, the receipt from that service showing delivery will be proof of service. However, these methods of proof of service are not exclusive; any sufficient proof may be relied upon to establish service.

(i) Failure to properly serve:

Failure to properly serve. Failure to comply with the requirements of this section relating to timeliness of service on other parties will be a basis for either: (1) Rejecting the document; or (2) Withholding or reconsidering any ruling on the subject matter raised by the document until after service has been made and the served party has had reasonable opportunity to respond.

Nor does the letter indicate a “cc” to Union counsel, or carry a proof of service. It thus appears the Employer did not properly serve the Union with its postponement request that it submitted to the Region.

Thank you for your consideration.

Very truly yours,

**Ira L. Gottlieb**

**Bush Gottlieb, a Law Corporation**

801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260

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Strategic alliance with MWE China Law Offices (Shanghai)

Ellen M. Bronchetti  
Attorney at Law  
ebronchetti@mwe.com  
+1 650 815 -7460

April 27, 2018

VIA ELECTRONIC FILING

William B. Cowen, Regional Director  
National Labor Relations Board - Region 21  
858 South Figueroa Street  
9<sup>th</sup> Floor  
Los Angeles, CA 90017

Re: Savage Services Corporation  
Case No.: 21-RC-219057

Dear Mr. Cowen:

I represent Respondent Savage Services in the above-referenced representation matter. I understand a hearing on this petition is set to take place on May 3, 2018 at 9:00 a.m. at Room 903, 888 S. Figueroa Street, 9<sup>th</sup> Floor, Los Angeles, California. This letter is to request a continuance of the hearing to May 7, 2018 at 9:00 am.

I am the only lawyer at my firm who this Employer has selected to provide legal counsel in this matter.

I am intimately familiar with their operations and have handled several other petitions for them in this case. No other MWE lawyer is permitted to substitute for my appearance at the hearing.

Unfortunately, due to previously confirmed business travel on May 2-3, 2018 from San Francisco to Dallas, Texas, I am unavailable on May 2, 2018 for a hearing in Los Angeles. On May 4, 2018, I have confirmed Negotiations with the Union in another matter in Petaluma, California. Attached hereto as Exhibit A is a copy of my round-trip airline ticket from San Francisco to Dallas.

I contacted the Union's representative Julie Gutman Dickinson this morning to inquire as to her position with respect to moving the hearing to May 7, 2018. I explained my work conflicts however she did not stipulate to moving the hearing to May 7, 2018.



William B. Cowen  
April 27 2018  
Page 2

I appreciate your consideration of this request to move the hearing in this matter to May 7, 2018 at 9:00 a.m.

Thank you for your courtesy and cooperation.

Very truly yours,

A handwritten signature in blue ink, reading "Ellen Bronchetti". The signature is written in a cursive style with a large, stylized "E" and a prominent "H" at the end.

Ellen M. Bronchetti  
Partner

# **EXHIBIT A**

[Home](#) > [Manage Reservations](#) > [View Reservation by Confirmation Number](#)**View Reservation by Confirmation Number**Reservation Tools: [Change Flights](#) | [Cancel](#) | [View Baggage Service Charges](#) | [E-mail Summary](#) | [Save to my Account](#) | [Print Itinerary](#) | [Download the Calendar](#) | [Reserve a Hotel](#) | [Reserve a Car](#) |**United Confirmation Number DDYM9R**

This reservation has been ticketed and confirmed.

**Flight Details****✈ Tue., May. 1, 2018 | San Diego, CA, US (SAN) to San Francisco, CA, US (SFO)**Depart:  
**3:18 p.m.**  
**Tue., May. 1, 2018**  
San Diego, CA, US (SAN)Arrive:  
**4:55 p.m.**  
**Tue., May. 1, 2018**  
San Francisco, CA, US (SFO)Travel Time:  
**1 hr 37 mn**Flight distance:  
**447 m/719 km**Flight: **UA370**  
Aircraft: **Boeing 737-800**  
Fare Class: **United First (P)**  
Meal: **Refreshments**  
**No Special Meal Offered.****✈ Wed., May. 2, 2018 | San Francisco, CA, US (SFO) to Dallas/Fort Worth, TX, US (DFW)**Depart:  
**11:59 a.m.**  
**Wed., May. 2, 2018**  
San Francisco, CA, US (SFO)Arrive:  
**5:35 p.m.**  
**Wed., May. 2, 2018**  
Dallas/Fort Worth, TX, US (DFW)Travel Time:  
**3 hr 36 mn**Flight distance:  
**1,465 m/2,358 km**Flight: **AA2205**  
Operated By: American Airlines  
Aircraft: **Airbus A321**  
Fare Class: **Business (J)**  
Meal: **None**  
**No Special Meal Offered.****✈ Thu., May. 3, 2018 | Dallas/Fort Worth, TX, US (DFW) to San Francisco, CA, US (SFO)**Depart:  
**12:59 p.m.**  
**Thu., May. 3, 2018**  
Dallas/Fort Worth, TX, US (DFW)Arrive:  
**2:58 p.m.**  
**Thu., May. 3, 2018**  
San Francisco, CA, US (SFO)Travel Time:  
**3 hr 59 mn**Flight distance:  
**1,465 m/2,358 km**Flight: **AA349**  
Operated By: American Airlines  
Aircraft: **Airbus A321**  
Fare Class: **Business (J)**  
Meal: **None**  
**No Special Meal Offered.**

Site Feedback

**✈ Fri., May. 4, 2018 | San Francisco, CA, US (SFO) to San Diego, CA, US (SAN)**Depart:  
**7:32 p.m.**  
**Fri., May. 4, 2018**  
San Francisco, CA, US (SFO)Arrive:  
**9:07 p.m.**  
**Fri., May. 4, 2018**  
San Diego, CA, US (SAN)Travel Time:  
**1 hr 35 mn**Flight distance:  
**447 m/719 km**Flight: **UA460**  
Aircraft: **Boeing 737-900**  
Fare Class: **United First (P)**  
Meal: **Refreshments**  
**No Special Meal Offered.**[Change Flights](#)[View/Change Seats](#)**Recommended Add-ons:**Don't miss out on  
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Get Extra Miles

### Traveler(s)

#### ELLEN BRONCHETTI

**Date of Birth:** March 29, \*\*\*\* **Gender:** Female

**Seat Assignments:** SAN - SFO: 3B  
SFO - DFW: ---  
DFW - SFO: ---  
SFO - SAN: 3B

[View/Change Seat](#)

[Edit traveler information](#)

[Add Pet\(s\)](#)

If you have a disability and require special seating to accommodate your disability, you may request special seating through [United's Seating accommodations webpage](#).

### Payment Information

**Card Type:** Visa

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### Important Travel Information

- The U.S. government raised the security alert level and implemented extra restrictions to assure the security of air travel. Certain changes in airport procedures and restrictions on items allowed on board aircraft are detailed on the [Travel Alert: Elevated Security](#) page.
- Any changes to your flight reservations may incur additional charges.
- Airlines require government issued photo identification upon check-in, such as a driver's license or passport.
- [Passport, visa and health requirements](#) may apply for this itinerary. Each passenger must ensure he or she has all required travel documents as stated in 19 of the [Contract of Carriage](#). Information on this site is provided as a courtesy and should be verified by the passenger before travel. Other resources include the consulate of the destination country and the [U.S. Department of State](#).
- Please read important information governing [airline baggage liability limitations](#).
- You will be contacted with any changes or additional information such as schedule changes, itinerary changes, etc.
- Special services are on a request basis and cannot be guaranteed.
- Special meal requests must be received at least 24 hours before the departure of your flight and cannot be guaranteed.

### Carry-on baggage allowed

United accepts the following items, per customer to be carried on the aircraft at no charge:

- One carry-on bag no more than 45 linear inches or 114 linear centimeters (L + W + H) or 14 inches x 9 inches x 22 inches (23 x 35 x 56 cm)
- One personal item (such as a shoulder or laptop bag).

[Learn more about carry-on baggage policy](#)

### Checking bags for this itinerary

Checked baggage service charges are collected at any point in the itinerary where bags are checked. The bag service charges below reflect a maximum outside linear dimension of 62 linear inches (157 cm)

First and second baggage service charges per traveler as listed below:		1st bag	2nd bag	Weight per bag
<b>Tue., May. 1, 2018</b>	San Diego, CA, US (SAN) to San Francisco, CA, US (SFO)	<b>\$0</b>	<b>\$0</b>	70.0 lbs (32 kgs)
<b>Fri., May. 4, 2018</b>	San Francisco, CA, US (SFO) to San Diego, CA, US (SAN)	<b>\$0</b>	<b>\$0</b>	70.0 lbs (32 kgs)



#### Check Your First Bag for Free

Save up to \$100 per roundtrip. The primary Cardmember and one companion on the same reservation can check their first standard bag free on United-operated flights when purchasing tickets with their Explorer Card. Terms apply.



First and second baggage service charges per traveler as listed below:	1st bag	2nd bag	Weight per bag
<a href="#">Learn more</a>			

Baggage check-in must occur with United or United Express, and you must have valid MileagePlus Premier® Gold membership at time of check-in to qualify for waiver of service charges for up to three checked bags (within specified size and weight limits).

These amounts represent an estimate of the first and second checked baggage service charges that may apply to your itinerary. If your itinerary contains multiple travelers, the service charges may vary by traveler, depending on status or memberships.

First and second bag service charges do not apply to active-duty members of the U.S. military and their accompanying dependents when the flight is operated by United or United Express. For additional information regarding baggage charges, allowances, weight/size restrictions, exceptions or embargoes, or charges for overweight, oversized, excess, odd-sized baggage, special items or sporting equipment, visit [Baggage Information](#)

#### Insure Your Travel Plans

Travel Guard® travel insurance is available from AIG Travel. [Learn more about Travel Guard® travel insurance](#) or call 1-877-934-8308.

#### Carbon Offsetting Option



**SUSTAINABLE TRAVEL  
INTERNATIONAL**

United is committed to promoting environmental responsibility within its culture, which includes helping our customers to respond to concerns about climate change with a carbon offsetting option. We've partnered with Sustainable Travel International ("STI"), a non-profit organization dedicated to providing education and services that support environmental conservation, to provide an option to customers. If you want to leave united.com to learn more about STI or to purchase carbon offsets from STI for this itinerary, [go to the carbon offset program home page](#).

\*Award miles shown are the miles that can be earned for this flight. Mileage accrued will vary depending on the terms and conditions of your frequent flyer program. United MileagePlus mileage accrual and other benefits of MileagePlus associated with air travel are subject to the rules of the MileagePlus program. Once travel has started, accruals will no longer display. You can view your MileagePlus account for posted accrual.

This receipt will be available up to 7 days after the date of the last flown segment.

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Site Feedback

**Davis, Karen**

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**From:** NLRBRegion21@nlrb.gov <e-Service@service.nlrb.gov>  
**Sent:** Friday, April 27, 2018 3:00 PM  
**To:** Davis, Karen  
**Subject:** RE: 21-RC-219057-Letter

Confirmation Number: 1000206235

You have successfully accomplished the steps for E-Filing document(s) with NLRB Region 21, Los Angeles, California. This E-mail notes the official date and time of the receipt of your submission. Please save this E-mail for future reference.

Date Submitted: 4/27/2018 2:58:07 PM (UTC-08:00) Pacific Time (US & Canada)  
Regional, Subregional Or Resident Office: Region 21, Los Angeles, California  
Case Name: Savage Services Corporation  
Case Number: 21-RC-219057  
Filing Party: Employer  
Name: Bronchetti, Ellen  
Email: [ebronchetti@mwe.com](mailto:ebronchetti@mwe.com)  
Address: 275 Middlefield Road  
Suite 100  
Menlo Park, CA 94025  
Telephone: (650) 815-7460  
Fax: (650) 815-7401  
Additional Email: [kdavis@mwe.com](mailto:kdavis@mwe.com)  
Attachments: Letter: EMB Ltr to Region 21 dtd 4-27-18 re Contiuance Case No. 21-RC-219057.pdf

\*\*\*\*\*

DO NOT REPLY TO THIS MESSAGE. THIS IS A POST-ONLY NOTIFICATION.  
MESSAGES SENT DIRECTLY TO THE EMAIL ADDRESS LISTED ABOVE WILL NOT BE READ.

\*\*\*\*\*

**CORRECTED - CERTIFICATE OF SERVICE**

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within cause. My business address is 275 Middlefield Road, Suite 100, Menlo Park, California 94026.

I served the below listed document(s) described as:

**SAVAGE SERVICES CORPORATION'S LETTER TO REGIONAL DIRECTOR  
WILLIAM B. COWEN DATED APRIL 27, 2018**

on April 27, 2018, on the following parties to this cause by mailing a copy of the above document(s) as follows:

Julie Gutman Dickson Megan Degeneffe Bush Gottlieb, a Law Corporation 801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260	William B. Cowen National Labor Relations Board Region 21 888 South Figueroa Street 6 <sup>th</sup> Floor Loos Angeles, California 90017
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I am familiar with the office practice of McDermott Will & Emery for collecting and processing documents for mailing with the United States Postal Service, which practice is that when documents are deposited with the McDermott Will & Emery personnel responsible for depositing documents with the United States Postal Service such documents are delivered to the United States Postal Service that same day in the ordinary course of business with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 1, 2018, at San Francisco California.



Karen D. Davis

# Exhibit G



**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 21**

**SAVAGE SERVICES CORPORATION**

**Employer**

**and**

**Case 21-RC-219057**

**WHOLESALE DELIVERY DRIVERS, GENERAL  
TRUCK DRIVERS, CHAUFFEURS, SALES,  
INDUSTRIAL AND ALLIED WORKERS,  
TEAMSTERS LOCAL 848, INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS**

**Petitioner**

**REVISED ORDER RESCHEDULING HEARING**

On April 27, 2018, a request for a 2-day postponement of the hearing in the above-matter was filed with the undersigned by the above-named Employer. In its request, the Employer explained its conflict with the originally scheduled hearing date of May 3, 2018 and confirmed that the involved-party Petitioner had been contacted for its position and noted its expressed opposition to such a request. After becoming informed of the approval of the Employer's request, the Petitioner further detailed its opposition to a postponement of hearing, explaining its concerns regarding: (1) delay of reaching an election date; (2) the Employer allegedly packing the petitioned-for unit; (3) allegedly improper service of the request onto all involved parties pursuant to Casehandling Manual Section 11143; and (4) the Petitioner's schedule conflict with a hearing date of May 7, 2018. The Petitioner subsequently notified the Region of its ability to begin a hearing on May 7, 2018, in order to avoid any further delay of the matter.

Upon review of the Petitioner's concerns raised, it is concluded that the Employer's request for a 2-day postponement of the hearing was filed and serviced sufficiently. Moreover, even assuming, arguendo, that the service originally was deficient, the Petitioner has since been served with the Employer's request and its objections have been considered. Based on the

submissions of the parties, I find that the Employer has demonstrated a sufficient basis for its request, and therefore, the request is approved.

**IT IS HEREBY ORDERED** that the hearing in the above-entitled matter remains rescheduled from May 3, 2018 at 9:00 a.m. to 9:00 a.m. on **Monday, May 7, 2018** at Room 903, 888 South Figueroa Street, 9<sup>th</sup> Floor, Los Angeles, CA 90017-5449. The hearing will continue on consecutive days until concluded.

The Statement of Position in this matter must be filed with the Regional Director and served on the parties listed on the petition by no later than **noon** Pacific time on May 02, 2018. The Statement of Position may be e-Filed but, unlike other e-Filed documents, must be filed by noon Pacific time on the due date in order to be timely. If an election agreement is signed by all parties and returned to the Regional Office before the due date of the Statement of Position, the Statement of Position is not required to be filed.

Dated: May 2, 2018



---

WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS BOARD  
REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

# Exhibit H

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 21**

SAVAGE SERVICES CORPORATION,

Employer,

and

WHOLESALE DELIVERY DRIVERS,  
GENERAL TRUCK DRIVERS,  
CHAUFFEURS, SALES, INDUSTRIAL AND  
ALLIED WORKERS, TEAMSTERS LOCAL  
848, INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS,

Petitioner.

Case no. 21-RC-219057

**RESPONDENT'S REQUEST  
TO POSTPONE  
CHALLENGED BALLOTS  
HEARING UNTIL JUNE 26,  
2018**

The Employer, Savage Services Corporation ("Employer") respectfully requests that the Regional Director postpone the hearing in the above-referenced matter from June 14, 2018 to June 26, 2018 or a date that is mutually convenient but not sooner than, for the parties.

Good cause exists as counsel for Employer, Ellen Bronchetti, is pregnant and due to have a child on June 28, 2018. She has been directed by her physician that she is medically unable to participate in a hearing in June 2018 and is unable to travel to Los Angeles to attend a hearing in June 2018. Attached hereto as **Exhibit A** is documentation from Ms. Bronchetti's physician detailing her travel/work restrictions. The only other attorney at McDermott, Will & Emery who is authorized to handle this matter is Partner Ronald Holland. Ronald Holland is also not available to appear on June 14, 2018 as he is scheduled to appear for oral argument in the 9<sup>th</sup> Circuit Court of Appeal in another matter. Attached hereto as **Exhibit B** is a copy of the docket in this case, (*see* Docket entry 35) Notice of Oral Argument on June 14, 2018 filed by the 9<sup>th</sup> Circuit Court of Appeal on April 4, 2018. In addition, the client representative, Adam

Thompson, who is a necessary witness to these proceedings, is also scheduled to attend a mandatory Company-wide out of state meeting on June 13-15 which cannot be rescheduled. Mr. Holland is also unavailable to attend hearing prior to June 26, 2018 because he has to be in Lewiston, Idaho from June 18 – 22, 2018 to lead collective bargaining for another client and cannot be in Los Angeles for hearing until the morning of June 26, 2018. These negotiations have been ongoing for almost a year, the contract is expired and the June 18-22 dates have been scheduled since early March and cannot be rescheduled. Attached as **Exhibit C** are copies of his travel reservations and emails confirming negotiations. Contrary to the Union's argument, no other attorney at McDermott, Will & Emery ("MWE") is available to participate in these proceedings. In fact, prior to Mr. Holland and me moving to MWE in April 2018, MWE had no other labor and employment lawyers and none with any NLRB experience.

The Employer made a good faith effort to request that the Union agree to the postponement of the hearing to June 26, 2018. Attached hereto as **Exhibit D** is Ellen Bronchetti's email to Julie Gutman Dickinson dated May 30, 2018 detailing the reasons for the request for postponement and Ms. Dickson's response thereto.

The Union has been served a copy of this postponement request simultaneously with the instant filing.

Dated: May 31, 2018

Respectfully submitted:

McDermott Will & Emery

  
ELLEN BRONCHETTI

Attorneys for Employer,  
SAVAGE SERVICES CORPORATION



**CERTIFICATE OF SERVICE**

**CASE NO. 21-RC-219057**

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within cause. My business address is 275 Middlefield Road, Suite 100, Menlo Park, California 94026.

I served the below listed document(s) described as:

**RESPONDENT'S REQUEST TO POSTPONE CHALLENGED BALLOTS  
HEARING UNTIL JUNE 26, 2018**

on May 31, 2018, on the following parties to this cause by mailing a copy of the above document(s) as follows:

Ira L. Gottlieb Julie Gutman Dickson Megan Degeneffe Bush Gottlieb, a Law Corporation 801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260 <a href="mailto:buddyg@bushgottlieb.com">buddyg@bushgottlieb.com</a> <a href="mailto:jgutmandickinson@bushgottlieb.com">jgutmandickinson@bushgottlieb.com</a> <a href="mailto:mdegeneffe@bushgottlieb.com">mdegeneffe@bushgottlieb.com</a>	William B. Cowen National Labor Relations Board Region 21 888 South Figueroa Street 6 <sup>th</sup> Floor Los Angeles, California 90017 <a href="mailto:William.Cowen@nlrb.gov">William.Cowen@nlrb.gov</a> <a href="mailto:Danielle.Giever@nlrb.gov">Danielle.Giever@nlrb.gov</a> <a href="mailto:Nathan.Seidman@nlrb.gov">Nathan.Seidman@nlrb.gov</a>
--	--



by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth above.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 31, 2018, at San Francisco California.



Karen D. Davis

# **EXHIBIT A**

**La Jolla Personal Physicians Medical Group, Inc.**

9834 Genesee Ave, Suite 400 • La Jolla, California 92037

(858) 622-9076 • Fax: (858) 587-4785

Seth D. Bulow, M.D.

Obstetrics, Gynecology & Infertility

May 31, 2018

To Whom It May Concern:

RE: Ellen Bronchetti

The above named patient is under my professional care and is unable to work or participate in a hearing in Los Angeles from June 1, 2018 through August 16, 2018 due to medical issues.

If you have any questions or need additional information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth Bulow", written over a horizontal line.

Seth D. Bulow, M.D.



# **EXHIBIT B**

If you view the [Full Docket](#) you will be charged for 4 Pages \$0.40

**General Docket**  
**United States Court of Appeals for the Ninth Circuit**

**Court of Appeals Docket #:** 17-17413**Docketed:** 12/01/2017**Nature of Suit:** 1720 Labor/Management Relations Act

Jill Coffman v. Queen of the Valley Med Center

**Appeal From:** U.S. District Court for Northern California, Oakland**Fee Status:** Paid**Case Type Information:**

- 1) civil
- 2) united states
- 3) null

**Originating Court Information:****District:** 0971-4 : [4:17-cv-05575-YGR](#)**Court Reporter:** Diane E. Skillman, Official Court Reporter**Trial Judge:** Yvonne Gonzalez Rogers, District Judge**Date Filed:** 09/26/2017**Date Order/Judgment:**

11/30/2017

**Date Order/Judgment EOD:**

11/30/2017

**Date NOA Filed:**

12/01/2017

**Date Rec'd COA:**

12/01/2017

- 02/16/2018 [28](#) Submitted (ECF) Reply Brief for review. Submitted by Appellant Queen of the Valley Medical Center. Date of service: 02/16/2018. [10767094] [17-17413] (Holland, Ronald) [Entered: 02/16/2018 11:28 AM]
- 02/16/2018 [29](#) Filed clerk order: The reply brief [\[28\]](#) submitted by Queen of the Valley Medical Center is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: gray. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate CM/ECF. [10768448] (LA) [Entered: 02/16/2018 06:34 PM]
- 02/20/2018 30 This case is being considered for an upcoming oral argument calendar in San Francisco
- Please review the San Francisco sitting dates for June 2018 and the two subsequent sitting months in that location at [http://www.ca9.uscourts.gov/court\\_sessions](http://www.ca9.uscourts.gov/court_sessions). If you have an unavoidable conflict on any of the dates, please inform the court *within 3 days of this notice*, using CM/ECF (**Type of Document:** File Correspondence to Court; **Subject:** regarding availability for oral argument).
- When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.
- If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the mediation unit by filing a letter *within 3 days of this notice*, using CM/ECF (**Type of Document:** File Correspondence to Court; **Subject:** request for mediation). [10770502] (AW) [Entered: 02/20/2018 06:05 PM]
- 02/20/2018 31 Received 7 paper copies of Reply Brief [\[28\]](#) filed by Queen of the Valley Medical Center. [10770997] (SD) [Entered: 02/21/2018 09:54 AM]
- 02/23/2018 [32](#) Filed (ECF) Appellant Queen of the Valley Medical Center Correspondence: Regarding Availability for Oral Argument. Date of service: 02/23/2018 [10775503] [17-17413] (Holland, Ronald) [Entered: 02/23/2018 01:22 PM]
- 03/02/2018 [33](#) Filed (ECF) Appellee Jill Hawken Coffman citation of supplemental authorities. Date of service: 03/02/2018. [10784170] [17-17413] (Johnston, Rebecca) [Entered: 03/02/2018 11:52 AM]
- 03/05/2018 [34](#) Filed (ECF) Appellant Queen of the Valley Medical Center citation of supplemental authorities. Date of service: 03/05/2018. [10786611] [17-17413]--[COURT UPDATE: Attached searchable version of letter. 03/05/2018 by RY] (Bronchetti, Ellen) [Entered: 03/05/2018 04:07 PM]
- 04/04/2018 35 Notice of Oral Argument on Thursday, June 14, 2018 - 09:30 A.M. - Courtroom 3 - San Francisco CA.
- View the Oral Argument Calendar for your case [here](#).
- Be sure to review the [GUIDELINES](#) for important information about your hearing, including when to arrive (30 minutes before the hearing time) and when and how to submit additional citations (filing electronically as far in advance of the hearing as possible).
- When you have reviewed the calendar, download the [ACKNOWLEDGMENT OF HEARING NOTICE form](#), complete the form, and file it via Appellate ECF or return the completed form to: SAN FRANCISCO Office. [10824544] (AKM) [Entered: 04/04/2018 02:39 PM]
- 04/06/2018 [36](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Rebecca Jean Johnston for Appellee Jill Hawken Coffman. [10826771] [17-17413] (Johnston, Rebecca) [Entered: 04/06/2018 06:12 AM]
- 05/10/2018 [37](#) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Mr. Ronald J. Holland, Esquire for Appellant Queen of the Valley Medical Center. [10867941] [17-17413] (Holland, Ronald) [Entered: 05/10/2018 09:29 AM]

<b>PACER Service Center</b>
Transaction Receipt



# **EXHIBIT C**

**From:** [MCDERMOTTTRAVEL@LAWYERSTRAVEL.COM](mailto:MCDERMOTTTRAVEL@LAWYERSTRAVEL.COM)  
**To:** [Leung, Henry; Holland, Ron](#)  
**Subject:** Ticketed Travel Itinerary for HOLLAND/RONALD JOHN on Travel Date: 06/17/2018 Agency Locator: DAAEWW  
**Date:** Wednesday, May 09, 2018 10:55:10 AM  
**Attachments:** [24130097.pdf](#)  
[201806171210flight\\_70800639.ics](#)  
[201806171535flight\\_70800642.ics](#)  
[201806170000hotel\\_70800646.ics](#)  
[201806221720flight\\_70800650.ics](#)  
[201806221940flight\\_70800652.ics](#)

Travel arrangements for **HOLLAND/RONALD JOHN**

Agency Locator: **DAAEWW**




Client Reference:


View your itinerary in our app: [iPhone](#) or [Android](#)

From / To	Flight / Vendor	Departure / Arrival	Links
<b>Flight</b> Sun Jun 17, 2018 San Francisco(SFO) - Seattle/Tacoma(SEA)	Alaska Airlines AS1677	12:10 PM-2:14 PM <a href="#">Check in</a>	<a href="#">Traveler Benefits</a>
Sun Jun 17, 2018			<a href="#">Traveller Toolbox</a>
<b>Flight</b> Seattle/Tacoma(SEA) - Nez Perce County Regional, Lewiston, ID(LWS)	Alaska Airlines AS2032	3:35 PM-4:40 PM <a href="#">Check in</a>	<a href="#">Feedback</a>
Sun Jun 17, 2018-			<a href="#">Blog</a>
<b>Hotel</b> Fri Jun 22, 2018 QUALITY INN CONFERENCE CENTER	Choice International - Quality Inns		<a href="#">Facebook</a>
Fri Jun 22, 2018			<a href="#">LinkedIn</a>
<b>Flight</b> Nez Perce County Regional, Lewiston, ID(LWS) - Seattle/Tacoma(SEA)	Alaska Airlines AS2163	5:20 PM-6:37 PM <a href="#">Check in</a>	<b>Preferred Hotels</b>
Fri Jun 22, 2018			<a href="#">?</a>
<b>Flight</b> Seattle/Tacoma(SEA) - San Francisco(SFO)	Alaska Airlines AS376	7:40 PM-9:56 PM <a href="#">Check in</a>	
<a href="#">?</a> <b>Print version</b>			



AS 1677	SAN FRANCISCO San Francisco (SFO)	SEATTLE Seattle/Tacoma (SEA)
<b>Departure</b>	Sun Jun 17, 2018 12:10 PM	<b>Arrival</b> Sun Jun 17, 2018 2:14 PM
<b>Departure terminal</b>	T2	<b>Arrival terminal</b>
<b>Class</b>	FIRST CLASS	<b>Airline check in ID</b> QDGQJX
<b>Meal</b>	Lunch	<b>Status</b> Confirmed
<b>Duration</b>	02:04	<b>Ticket number</b> 0277143988522
<b>Seat</b>	01C	<b>Frequent flyer</b> 124987096
<b>Equipment</b>	Airbus A318/321	<b>Air miles</b> 678
<b>Remarks</b>	Baggage Allowance: 2 pcs	
<a href="#">?</a> <b>Check in</b> <a href="#">?</a>	More flight information <a href="#">?</a>	

AS 2032	SEATTLE Seattle/Tacoma (SEA)	LEWISTON Nez Perce County Regional, Lewiston, ID (LWS)
<b>Departure</b>	Sun Jun 17, 2018 3:35 PM	<b>Arrival</b> Sun Jun 17, 2018 4:40 PM
<b>Departure terminal</b>		<b>Arrival terminal</b>

<b>Class</b>	ECONOMY	<b>Airline check in ID</b>	QDGQJX
<b>Meal</b>		<b>Status</b>	Confirmed
<b>Duration</b>	00:05	<b>Ticket number</b>	0277143988522
<b>Seat</b>	02D	<b>Frequent flyer</b>	124987096
<b>Equipment</b>	DHC8 Dash 8-400	<b>Air miles</b>	261
<b>Remarks</b>	Baggage Allowance: 2 pcs		
 Check in 		More flight information 	

 <b>QUALITY INN CONFERENCE CENTER</b> 700 PORT DR, CLARKSTON WA 99403, US			
<b>Check in</b>	Sun Jun 17, 2018	<b>Check out</b>	Fri Jun 22, 2018
<b>Status</b>	Confirmed	<b>Duration</b>	5 nights
<b>Room</b>	BCD TRAVEL 1 KING BED NONSMOKING SUITE 1 ROOM SUITE		
<b>Rate</b>	USD171.00	<b>Approx. Total</b>	USD939.65
<b>Telephone no.</b>	509-758-9500	<b>Fax</b>	509-758-5580
<b>No of Rooms</b>	1	<b>No of Guests</b>	1
<b>Reference</b>	82983043	<b>Freq. guest ID</b>	
<b>Special Info.</b>	RQST NSRM KING BED		
<b>Remarks</b>	CANCEL BY 4 PM DAY OF ARRIVAL TO AVOID PENALTY		

<div><div><div></div></div><div>AS</div><div>2163</div></div>		<div>LEWISTON</div> <div>Nez Perce County Regional,</div> <div>Lewiston, ID (LWS)</div>	<div><div><div></div></div></div>	<div>SEATTLE</div> <div>Seattle/Tacoma (SEA)</div>
Departure	Fri Jun 22, 2018 5:20 PM		Arrival	Fri Jun 22, 2018 6:37 PM
Departure terminal			Arrival terminal	
Class	ECONOMY		Airline check in ID	QDGQJX
Meal			Status	Confirmed
Duration	02:17		Ticket number	0277143988522
Seat	02B		Frequent flyer	124987096
Equipment	DHC8 Dash 8-400		Air miles	261
<div><div><div></div></div><div>Check in</div><div><div></div></div></div>		<div>More flight information</div> <div><div></div></div>		

 <b>AS 376</b>		<b>SEATTLE</b> Seattle/Tacoma (SEA)	 <b>SAN FRANCISCO</b> San Francisco (SFO)	
<b>Departure</b>	Fri Jun 22, 2018 7:40 PM	<b>Arrival</b>	Fri Jun 22, 2018 9:56 PM	
<b>Departure terminal</b>		<b>Arrival terminal</b>		
<b>Class</b>	FIRST CLASS	<b>Airline check in ID</b>	QDGQJX	
<b>Meal</b>	Snack	<b>Status</b>	Confirmed	



<b>Duration</b>	02:16	<b>Ticket number</b>	0277143988522
<b>Seat</b>	02D	<b>Frequent flyer</b>	124987096
<b>Equipment</b>	Boeing 737	<b>Air miles</b>	678

 [Check in](#) 

[More flight information](#) 

#### Invoice/ticket information for RONALD JOHN HOLLAND

<b>Total Invoiced Amount:</b>	\$1,260.39				
<b>Ticket:</b>	0277143988522	<b>Invoice:</b>	0005762	<b>Amount:</b>	\$1,215.39
<b>Payment:</b>	VXXXXXXXXXXXX6383	<b>Date:</b>	09-May-2018		
<b>Service Fee:</b>	8900734950557	<b>Date:</b>	09-May-2018	<b>Amount:</b>	\$45.00
<b>Description:</b>					AIR TICKET
<b>Payment:</b>					VXXXXXXXXXXXX6383

#### Information specific to this trip

- You have purchased a fully refundable fare on Alaska Airlines.
- You have purchased a negotiated/contract fare on Alaska Airlines that holds certain restrictions. The ticket is valid only on the issuing carrier
- **Billable/Non-Billable:** B

#### Travel Assistance Contact Information

For travel assistance 24 hours a day, please call your dedicated number at 917-408-8305. After business hours, weekends and holidays, you will have the option to be transferred to our after hours travel team. To reach our after hours team directly in case of emergency, you may call 844-362-6867. Your access code is 6HBI.

#### Other information and remarks

- Download GO Lawyers Travel, our complimentary mobile application, to view and manage itineraries, receive flight alerts, check-in online and more. Register with your business email address so this trip will automatically appear in the My Trips section of the app. [iPhone](#) or [Android](#)

#### Important Health Advisory

CDC has issued travel notices for people traveling to regions where Zika virus transmission is ongoing. For more information, please visit [www.cdc.gov/zika](http://www.cdc.gov/zika).

#### Feedback

We value your input and welcome you to provide your feedback [here](#).



## RE: Bargaining Dates

Wednesday, March 28, 2018

8:50 AM

Subject	RE: Bargaining Dates
From	<a href="#">Kilborn, Jim</a>
To	Holland, Ron
Cc	Shannon Inzunza; Ken Brown; Mark Rhodes; <a href="mailto:john.dugger@cableone.net">john.dugger@cableone.net</a> ; Gregg Urban
Sent	Wednesday, March 28, 2018 8:24 AM

To confirm, we'll schedule June 18-22, July 9-12 and August 13-17.

Mondays will not work for bargaining, IBEW has other commitments and I'll be traveling, but we can use the Fridays if needed.

Jim

**From:** Holland, Ron [<mailto:Ron.Holland@dlapiper.com>]

**Sent:** Friday, March 16, 2018 2:54 PM

**To:** Kilborn, Jim

**Cc:** Shannon Inzunza ([Shannon.Inzunza@clearwaterpaper.com](mailto:Shannon.Inzunza@clearwaterpaper.com)); Ken Brown; Mark Rhodes; [john.dugger@cableone.net](mailto:john.dugger@cableone.net); Gregg Urban

**Subject:** RE: Bargaining Dates

Jim here are open dates. However, if the Union has others please let us know.

April 30-May 3

June 18-22 and June 25-29

July 9-12

July 30-August 3

August 13-17

August 29-31

Please let us know which of these dates work for the Union.

We are providing revised effects bargaining agreements for your review. Tyler is walking them to you now.

**From:** Kilborn, Jim [<mailto:jkilborn@usw.org>]

**Sent:** Friday, March 16, 2018 9:55 AM

**To:** Holland, Ron

**Cc:** Shannon Inzunza ([Shannon.Inzunza@clearwaterpaper.com](mailto:Shannon.Inzunza@clearwaterpaper.com)); Ken Brown; Mark Rhodes; [john.dugger@cableone.net](mailto:john.dugger@cableone.net)

**Subject:** Bargaining Dates



Ron

Could you please provide available dates the employer has for bargaining for June, July and August?

Appreciated,

Jim

**JIM KILBORN**

Staff Representative

## **UNITED STEELWORKERS**

District 12 Sub-District 3 | 24437 Russell Road, Suite 205 | Kent, WA 98032

Off: (253) 854-4536 | Fx: (253) 854-4609 | Cell: (541) 401-9958

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**Gregg C. Urban**

Director Human Resources – Pulp and Paper Division

Clearwater Paper Corporation

803 Mill Road, Lewiston, ID 83501

T 208.799.1791 C 208.553.3489 F 208.799.1524

[gregg.urban@clearwaterpaper.com](mailto:gregg.urban@clearwaterpaper.com)

[www.clearwaterpaper.com](http://www.clearwaterpaper.com)

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# **EXHIBIT D**

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**From:** Bronchetti, Ellen  
**Sent:** Wednesday, May 30, 2018 9:00 AM  
**To:** mdegeneffe@bushgottlieb.com; jgutmandickinson@bushgottlieb.com  
**Cc:** Nathan.Seidman@nlrb.gov; Danielle Giever; Holland, Ron; Davis, Karen  
**Subject:** Request for postponement: Savage

Counsel:

As you know, I am pregnant and my due date is June 28. My doctor has put me off of work effective June 14, 2018. I am not able to cover the hearing as scheduled on June 14, 2018. The only other attorney at McDermott who is able to handle this matter is my partner Ron Holland. He has an oral argument in the 9th Circuit set for June 14 and that cannot be moved as it was scheduled in February. My client also has a leadership meeting scheduled for June 13-15 which has been scheduled for months and is not available for the hearing as scheduled.

As far as future dates for availability, the earliest date Ron is available for the hearing is June 26. He is scheduled to be in Lewiston for bargaining the entire week of June 18 and that cannot be rescheduled as it was also scheduled months ago.

Can you please advise today as far as whether or not you will stipulate to the continuance as outlined above?

Thank you,

Ellen

>

>

> Sent from my iPhone

# Exhibit I

**BUSH GOTTLIEB  
A Law Corporation**

Joshua Adams  
David E. Ahdoot  
Robert A. Bush  
Hector De Haro  
Megan Degeneffe  
Lisa C. Demidovich#  
Erica Deutsch  
Peter S. Dickinson+  
Ira L. Gottlieb\*

801 North Brand Boulevard, Suite 950  
Glendale, California 91203  
Telephone (818) 973-3200  
Facsimile (818) 973-3201  
www.bushgottlieb.com

Julie Gutman Dickinson  
Kiel B. Ireland  
Joseph A. Kohanski\*  
Dana S. Martinez  
Kirk M. Prestegard  
Dexter Rappleye  
Hope J. Singer  
Katherine M. Traverso

11848-28001

May 31, 2018

\* Also admitted in New York  
+Also admitted in Nevada  
#Also admitted in Washington DC

Of Counsel:  
David Adelstein

Direct Dial: (818) 973-3228  
jgutmandickinson@bushgottlieb.com

William B. Cowen  
Regional Director  
National Labor Relations Board, Region 21  
888 South Figueroa Street, 9th Floor  
Los Angeles, CA 90017-5449

Re: Response to Employer's Request to Postpone Challenged Ballot Hearing

Dear Regional Director Cowen:

The Union respectfully opposes any extension of the hearing in this matter, and in particular opposes the twelve day extension requested here. The rules contemplate a hearing scheduled three weeks after the tally of ballots—a predicable timeframe such that the Employer has had plenty of time to anticipate and appropriately plan to have representation at the hearing. The proposed extension is simply too long and will put off consideration of this important question, delaying employees' ability to get to the bargaining table and allowing the Employer to benefit from its unfair labor practices that are chilling employees in the exercise of their Section 7 rights. Without certification, employees are deprived of the day-to-day benefits of representation and will continue to fear reprisals for engaging in Section 7 activity.

We understand that Ms. Bronchetti has represented that she is unable to attend a hearing and that there is only one other attorney who may handle the matter. Respectfully, the Employer's scheduling conflicts were also raised as a justification for delaying the initial representation hearing and—at the hearing—were invoked as a justification for why it could not continue day-to-day. Ms. Bronchetti and Mr. Holland work at a firm with over 1,100 attorneys—147 of them in California. Surely one of them is able to handle this matter which entails a discrete set of issues regarding a small number of employees.

After this pattern of delays, the Union is also concerned that there may be bad faith in this request. The Employer's request did not include the Union's response to the proposed delay in exhibit D and the entire email exchange is attached. After Ms. Bronchetti represented that her doctor "put [her] off of work effective June 14"—the very date the hearing would begin, I responded that the Union would be available June 11, 12, or 13 and would consider dates next

William B. Cowen  
May 31, 2018  
Page 2

week as well to accommodate Ms. Bronchetti's medical leave starting June 14. In response, Ms. Bronchetti stated that earlier dates would not work and she could not be available the entire month of June. The doctor's note that she obtained this morning states that Ms. Bronchetti is unable to work beginning June 1, 2018.

Under normal circumstances, the Union would not question opposing counsel's need for leave. However, in addition to this representation matter, the Union is also scheduled to engage in negotiations in the Long Beach area with a different unit of employees on June 20 & 21. Ms. Bronchetti represents the Employer in those negotiations. On May 24, 2018, Business Agent Tom Tullius confirmed with Ms. Bronchetti that she would be attending the previously-scheduled negotiations in June. I spoke with Mr. Tullis this evening and to date he has not been informed of Ms. Bronchetti's need for leave or her unavailability for the scheduled dates.

Hopefully, an administrative determination of the challenged on call ballots will obviate the need for a hearing entirely. If, however, the challenges must be resolved in a hearing, it should go forward on June 14, which is still two weeks away—plenty of time for another attorney to take over this matter if necessary.

Thank you for your consideration in this matter.

Very truly yours,

Bush Gottlieb  
A Law Corporation

A handwritten signature in blue ink, appearing to read "Julie Gutman Dickinson".

Julie Gutman Dickinson  
Megan Leigh Degeneffe

Attachment

cc: Ellen Bronchetti, Esq.  
Ron Holland, Esq.  
Nathan Seidman, Esq.  
Danielle Giever, Board Agent

**From:** Bronchetti, Ellen <Ebronchetti@mwe.com>  
**Sent:** Wednesday, May 30, 2018 12:19 PM  
**To:** Julie Gutman Dickinson; Megan Degeneffe  
**Cc:** Nathan.Seidman@nlrb.gov; Danielle Giever; Holland, Ron; Davis, Karen  
**Subject:** RE: Request for postponement: Savage

Julie: Thanks for being so understanding of my need to take maternity leave and being medically unable to attend. Next week does not work nor does the following week and my doctor will not allow me to be in a hearing in Los Angeles during the entire month of June. We will file a formal request for postponement.

Ellen Bronchetti  
McDermott Will & Emery LLP | 275 Middlefield Road, Suite 100 | Menlo Park, CA 94025 Tel +1 650 815 7460 | Fax +1 650 815 7401 Website | Twitter | LinkedIn | Blog

-----Original Message-----

From: Julie Gutman Dickinson [mailto:jgutmandickinson@bushgottlieb.com]  
Sent: Wednesday, May 30, 2018 12:16 PM  
To: Bronchetti, Ellen; Megan Degeneffe  
Cc: Nathan.Seidman@nlrb.gov; Danielle Giever; Holland, Ron; Davis, Karen  
Subject: RE: Request for postponement: Savage

Dear Ellen,

We are happy to agree to an earlier date for a challenged ballots hearing--June 11, 12, or 13, since you will be on leave commencing June 14. We would also be open to considering a day next week. We cannot, however, agree to any date beyond June 14. This is a question concerning representation and demands immediate attention. Hopefully, the status of the on call drivers can be resolved by agreement or administratively by the end of this week, which may obviate the need for a challenged ballot hearing. If the remaining challenges are still determinative, then we are happy to agree to a date on or before June 13 to accommodate your leave. If that is not possible, then surely with such a large law firm, another attorney can handle the hearing on June 14.

Thank you,

Julie

Julie Gutman Dickinson  
Bush Gottlieb, a Law Corporation  
801 North Brand Boulevard, Suite 950, Glendale, CA 91203 Direct (818) 973-3228 | Cell (213) 200-0260 | Fax (818) 973-3201 <https://protect-us.mimecast.com/s/fKYYC1wYkWCpr3lfLJTic?domain=bushgottlieb.com>

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-----Original Message-----

From: Bronchetti, Ellen [mailto:Ebronchetti@mwe.com]

Sent: Wednesday, May 30, 2018 9:00 AM

To: Megan Degeneffe <mdegeneffe@bushgottlieb.com>; Julie Gutman Dickinson

<jgutmandickinson@bushgottlieb.com>

Cc: Nathan.Seidman@nlrb.gov; Danielle Giever <Danielle.Giever@nlrb.gov>; Holland, Ron <Rjholland@mwe.com>; Davis, Karen <kdavis@mwe.com>

Subject: Request for postponement: Savage

Counsel:

As you know, I am pregnant and my due date is June 28. My doctor has put me off of work effective June 14, 2018. I am not able to cover the hearing as scheduled on June 14, 2018. The only other attorney at McDermott who is able to handle this matter is my partner Ron Holland. He has an oral argument in the 9th Circuit set for June 14 and that cannot be moved as it was scheduled in February. My client also has a leadership meeting scheduled for June 13-15 which has been scheduled for months and is not available for the hearing as scheduled.

As far as future dates for availability, the earliest date Ron is available for the hearing is June 26. He is scheduled to be in Lewiston for bargaining the entire week of June 18 and that cannot be rescheduled as it was also scheduled months ago.

Can you please advise today as far as whether or not you will stipulate to the continuance as outlined above?

Thank you,

Ellen

>

>

> Sent from my iPhone

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\*\*\*\*\*

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\*\*\*\*\*  
\*\*\*\*\*

Please visit <https://protect-us.mimecast.com/s/T2D1C31jmQcmjqOs2ejK1?domain=mwe.com> for more information about our Firm.



## **PROOF OF SERVICE**

### **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 North Brand Boulevard, Suite 950, Glendale, CA 91203-1260.

I hereby certify that on June 27, 2018, a copy of the **MOTION FOR RECONSIDERATION** was electronically filed via the NLRB e-filing system with the National Labor Relations Board and served via email upon the following participants identified below:

Gary Shinnars, Executive Secretary  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570-0001

**Via Electronic Mail**  
[gary.shinnars@nlr.gov](mailto:gary.shinnars@nlr.gov)

Ellen Bronchetti, Esq.  
McDermott Will & Emery LLP  
275 Middlefield Road, Suite 100  
Menlo Park, CA 94025

**Via Electronic Mail**  
[Ebronchetti@mwe.com](mailto:Ebronchetti@mwe.com)

William Cowen, Regional Director  
Nathan Seidman, Assistant Regional Director  
National Labor Relations Board, Region 21  
888 South Figueroa Street, 9th Floor  
Los Angeles, CA 90017-5449

**Via Electronic Mail**  
[William.Cowen@nlr.gov](mailto:William.Cowen@nlr.gov)  
[Nathan.Seidman@nlr.gov](mailto:Nathan.Seidman@nlr.gov)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 27, 2018, at Glendale, California.

/s/ Martha C. Rodriguez  
MARTHA C. RODRIGUEZ